

1 ERSKINE & TULLEY
A PROFESSIONAL CORPORATION
2 MICHAEL J. CARROLL (St. Bar #50246)
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3 San Francisco, CA 94104
Telephone: (415) 392-5431

4 Attorneys for Plaintiff
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 BOARD OF TRUSTEES OF THE SAN MATEO)	NO. C 07 3357 JL
HOTEL EMPLOYEES AND RESTAURANT)	
12 EMPLOYEES PENSION TRUST, SHERRI)	DECLARATION OF ATTORNEY
CHIESA, TRUSTEE,)	MICHAEL J. CARROLL IN
13)	SUPPORT OF PLAINTIFF'S
Plaintiff,)	EX PARTE APPLICATION FOR
14)	ORDER TO CONTINUE CASE
vs.)	MANAGEMENT CONFERENCE
15)	
WESTLODGE HOSPITALITY INC., a)	
16 corporation, doing business as)	
TRAVELODGE and as TRAVELODGE SAN)	
17 FRANCISCO AIRPORT NORTH,)	
18)	
Defendant.)	
19)	

20 I, MICHAEL J. CARROLL, certify:

21 1. I am an attorney with the law firm of Erskine & Tulley,
22 A Professional Corporation, attorneys for plaintiff, BOARD OF TRUSTEES
23 OF THE SAN MATEO HOTEL EMPLOYEES AND RESTAURANT EMPLOYEES PENSION
24 TRUST, SHERRI CHIESA, TRUSTEE, in this action. I am duly admitted to
25 practice law in the United States District Court, Northern District
26 of California. If called as a witness, I could and would competently
27 testify as follows:

28 2. A defective service took place on July 12, 2007. No

1 responsive pleading was filed.

2 3. Plaintiffs requested a notice to withdraw the Motion
3 to Enter Default on September 3, 2007

4 4. Discussions are in progress with the attorney for
5 Westlodge regarding the proper defendants.

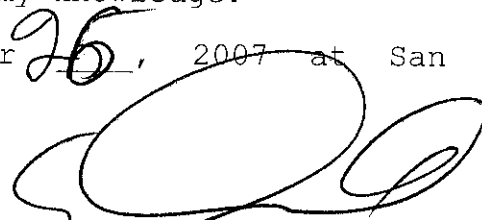
6 5. If this matter does not settle, plaintiff will make
7 demand that defendant file an answer in this case.

8 6. It is requested that the Court continue the Case
9 Management Conference some sixty days hence.

10 7. Good cause exists to grant plaintiff's request for a
11 continuance of the Case Management Conference currently set for
12 October 3, 2007 to December 5, 2007 to allow the parties time to do
13 informal discovery and avoid any unnecessary burden to the Court.

14 I declare under penalty of perjury that the foregoing is
15 true and correct to the best of my knowledge.

16 Executed on September 25, 2007 at San Francisco,
17 California.



18
19 Michael J. Carroll


PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within above entitled action; my business address is 220 Montgomery Street, Suite 303, San Francisco, CA 94104. On September ___, 2007, I served the DECLARATION OF MICHAEL J. CARROLL IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION FOR ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE on the defendant in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at San Francisco, California, addressed as follows:

Allison M. Woodall
Hanson Bridgett, Marcus Vlahos Rudy LLP
425 Market Street, 26th Floor
San Francisco, CA 94105

I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and correct.

Executed on September 26, 2007 at San Francisco, California.



Sharon Eastman